

REMARKS

Applicant, by the amendments presented above, has made a concerted effort to present claims which more clearly define over the prior art of record, and thus to place this case in condition for allowance.

Currently, claims 1-4, 8-14 and 16-24 are pending. Claims 16-34 were added in this Amendment. Claims 5-7 and 15 were canceled without prejudice in this Amendment.

Allowable Subject Matter

Applicant acknowledges that claim 3 was objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including the base claim and any intervening claims.

Claim Objection and Rejections under 35 U.S.C. §112

Claims 1-15 were objected to because of informalities. The Examiner's suggested changes have been incorporated in the amended claims.

Claims 4-12 and 14 were objected to because a multiple dependent claim cannot depend from another multiple dependent claim. Claim 15 was rejected under 35 U.S.C. §112, second paragraph, because it is an omnibus claim.

Claims 5-7 and 15 have been cancelled. The dependency of claims 4 and 6-12 has been amended to eliminate the multiple dependency. Claim 14 remains multiple dependent, but is in proper form.

Reconsideration of the claims is requested.

Claim Rejections - 35 U.S.C. §102

Claims 1 and 13 were rejected under 35 U.S.C. §102(b) as being anticipated by United States Patent No. 5,293,020 to Han et al. Reconsideration of the rejection and allowance of claims 1 and 13 is requested.

Claims 1 and 13 requires:

control means which receive which receives input from said door position detection means and said user interface means and provides a control signal to energise said electromagnet means to provide a magnetic field in said first direction if said user interface means indicates a user is attempting to alter the state of said door and said door position detection means indicates that said door is in said open state and provides a control signal to energise said electromagnet means to provide a magnetic field in said second direction if said user interface means indicates a user is attempting to alter the state of said and said door position detection means indicates that said door is in said closed state.

The invention as claimed in claims 1 and 13 requires that the control means operate the electromagnet means on certain conditions. Firstly, to assist opening on the condition that the door is closed and the user interface means indicates a person attempting to change the state. Secondly, to assist closing on the condition that the door is open and the user interface means indicates a user attempting to change the state.

The comparable control 60 of Han et al. applies current to keep the door closed once the door is already fully closed, and applies current in the reverse direction to propel the door open when the user presses a door open button. Notably, the control 60 of Han et al. does not operate to urge the door closed when the door is open and the user presses the door open button. The control 60 in Han et al. has only one response when a user presses the door open button, which the Examiner equates as the user interface means. That response is to urge the door open. Whereas the control means claimed in claims 1 and 13 requires different responses to positive output from the user interface means, the response depending on the

door state. Accordingly, the control 60 of Han et al. does not disclose or suggest the limitations of the control means as claimed in claims 1 and 13.

Reconsideration and allowance of claims 1 and 13 is requested.

Claim Rejections - 35 U.S.C. §103

Claim 2 was rejected under 35 U.S.C. §103 as allegedly being unpatentable over Han et al. in view of Japan 63040. Reconsideration and allowance of claim 2 is requested.

Claim 2 is dependent on claim 1 which Applicants submit is allowable. Therefore, Applicants submit that claim 2 is allowable.

In addition, Japan 63040 discloses activating an electromagnet to draw the door into a more closed position, wherein the gasket is compressed, once the door is closed. The Examiner contends that Japan 63040 teaches deactivating the electromagnet when the door is closed to save energy. Contrary to the Examiner's contention, energisation is maintained while the door is closed to maintain the improved insulating effect of compressing the gasket. For example, Japan 63040 states "once the switch (15) is turned off, the electromagnet (14) is inactivated and the soft packing (13) bounces back, making it easy to open the door without force". This indicates that the electromagnet is de-energised to allow opening and that with the electromagnet inactivated the gasket is no longer compressed and there is no longer the enhanced insulating effect that is the object of Japan 63040. Accordingly, Applicant submits that Japan 63040 does not teach de-energising the electromagnet means when the door position detection means indicates that the door is in the closed position. Like Han et al, Japan 63040 discloses maintaining the electromagnet energised while the door is in the closed position. In Han et al., this is to latch the microwave oven closed during operation. In Japan 63040, this is to maintain the gasket in the compressed condition, improving efficiency.

Therefore, reconsideration and allowance of claim 2 is requested.

Claim 15 was rejected under 35 U.S.C. §103 as allegedly being unpatentable over German 3837547 in view of Han et al. Claim 15 has been cancelled.

Claims 4, 8-12, 14 and 16-24

Claims 4 and 8-12 have been amended to be in proper form and are ultimately dependent upon independent claim 1 which Applicants submit is in condition for allowance. Consideration and allowance of claims 4 and 8-12 is requested.

Claim 14 is now in proper form and ultimately depends upon independent claim 1 which Applicants submit is in condition for allowance. Consideration and allowance of claim 14 is requested.

New claims 16-24 have been added and are reproductions of claims 4, 8 and 9 with different dependencies. Claims 16-24 are ultimately dependent upon independent claim 1 which Applicants submit is in condition for allowance. Consideration and allowance of claims 16-24 is requested.

Abstract

Applicant has presented an Abstract for this application. The Abstract had only previously been provided on the cover sheet of the published PCT application.

Information Disclosure Statement

An Information Disclosure Statement is enclosed for consideration by the Examiner.

A Petition for a Three-Month Extension of Time is concurrently submitted herewith to extend the date for response up to and including April 7, 2004.

In view of the above Amendments and Remarks, Applicant respectfully submits that the claims of the application are allowable over the rejections of the Examiner. Should the Examiner have any questions regarding this Amendment, the Examiner is invited to contact one of the undersigned attorneys at (312) 704-1890.

Respectfully submitted,

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